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Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities

Letter dated 31 March 2004 from the Permanent Representative of Eritrea to the United Nations addressed to the Chairman of the Committee

I have the honour to forward a note verbale addressed to you from the Ministry of Foreign Affairs of the State of Eritrea concerning the report on Al-Qaida and the Taliban pursuant to paragraph 6 of resolution 1455 (2003) (see annex).

(*Signed*) Ahmed Tahir **Baduri**
Ambassador
Permanent Representative

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Annex to the letter dated 31 March 2004 from the Permanent Representative of Eritrea to the United Nations addressed to the Chairman of the Committee

Note verbale from the Ministry of Foreign Affairs of Eritrea to the Chairman of the Committee

The Ministry of Foreign Affairs of the State of Eritrea presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities and has the honour to attach herewith the State of Eritrea's report prepared pursuant to paragraph 6 of resolution 1455 (2003) (see enclosure).

Enclosure

I. Introduction

The threat imposed by associates of Usama Bin Laden, Al Qaida and the Taliban is related to support given directly and indirectly to said terrorist elements interfacing with fundamentalist Islamic movements by neighbouring countries of the State of Eritrea.

Indeed the heinous massacre of five Belgians on December 27, 1996 and the savagery act reflected in the manner of assassination of the late British National Mr. Timothy Nut on April 12, 2003 by terrorist elements infiltrating from the said neighbouring countries in remote areas within the sovereign territory of the State of Eritrea are most notable incidents.

In this regard the CNN International News Release of August 19, 2002 titled" Terror on Tape" which indicated that the State of Eritrea is one of the thirty seven countries of the world targeted by Al-Qaida and Bin Laden's networks is to be noted as well.

In light of the above facts, the State of Eritrea has been strengthening its control to prevent any infiltration of terrorists.

II. Consolidated List

2. The 1267 committee's List has been corroborated in our Administrative Structures by including, inter alia, the names of the listed individuals in our check point list.

III. Financial and Economic Assets Freeze

12. There has not been any asset frozen in accordance with this resolution.

13. There has not been any asset unfrozen.

14. As capacity building is an important precondition in devising strategies of prevention and suppression of financing of terrorism, the state of Eritrea has been actively participating in international conferences that dealt with economic crimes. For details see the response given to question 1(a) in the Eritrean report forwarded to the Counter Terrorism Committee(CTC) under resolution 1373(2001) dated 12/12/2002 [hereafter referred as the Eritrean 2002 Report to CTC].

The substantive penal law provisions of the Penal Code of the State of Eritrea that would cover the offence of financing terrorism and the attendant penalties have also being outlined in the said report. See: Responses to questions 1(a & b) provided in the Eritrean 2002 Report to CTC.

Furthermore the Eritrean 2002 Report to CTC elaborates on the existence of legislative measures to monitor the financial transactions of entities

established under the Eritrean Civil Code and the consequent criminal liabilities involving members of said entities in situations where obligations of reporting financial statements are not met and in circumstances of illegal diversion of funds as well as the existence of the law that insures the transparency of financial records of religious institutions. See: Responses to questions 1(b, c & d) provided in the Eritrean 2002 Report to CTC.

The fact that relevant penal provisions covering terrorism come, as described in detail in response to question 2(a) provided in the Eritrean 2002 Report to CTC, within the framework of serious offences as prescribed by the Penal Code of the State of Eritrea that militate against public peace and order partaking the nature of terrorism such as the formation of secret societies and armed bands; trafficking in arms; possessing of weapons and explosives by private individuals, harboring and assisting bands or associations formed to commit offences against the public, individuals or property; arson; explosions and grave endangering or sabotage of communications or transport entailing punishments commensurate to their gravity which may result in imprisonment for life or capital punishment in aggravated circumstances. As for the particular articles and general explanation of same refer to the part of the Eritrean 2002 Report to CTC cited above.

As for the efforts of the State of Eritrea in view of combating terrorism regionally and internationally it is exemplified in answers given to questions 2(f). 3(d & e) and paragraph 4 as embodied in the Eritrean 2002 report.

IV. **Travel Ban**

15. The incorporation of the committee's list has already been referred in II (2). In this connection it is to be mentioned that this measure has been taken under the rules provided in the Immigration Law issued under Proclamation N0-24/1992 of the State of Eritrea which consist of rules that help to combat terrorism as specified in chapter 3 and 5 of the Proclamation. As to details consisting of relevant provisions of the immigration law concerning the regulation of entry see Responses to question 2(c) provided in the Eritrean 2002 Report to CTC.

As per the regulation of entry, the above said Proclamation empowers the Minister via Article 6 and 10 to specify ports of entry or departure to and from Eritrea. This has been implemented through legal notice No. 4/1992.

16. Responses given in relation to II 2 and IV 15 equally apply here.

17. We are in the process of computerising the work related to search listing electronically.

V. **Arms Embargo**

The response provided in relation to illegal trafficking of arms under in connection with III 14 equally applies to this section

VI. **Assistance**

25. As a state in transition assistance in equipment that enhance our computerised work would indeed promote our efficiency using electronic means in search listing the listed individuals.